

REMARKS

The last Official Action in the above-identified application has been carefully considered. The Examiner's indications that claims 36, 38 and 39 are allowed and that claims 3, 6-8, 10, 11, 14, 17-19, 21, 22, 25, 27, 29-31, 33 and 34 are objected to as being dependent upon a rejected base claim are greatly appreciated. This amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

By this amendment, claims 1-2, 12-13, 23, 26, 37 and 40-41 have been amended. Claims 1 through 41 remain pending in this application.

In Section 2 of the Official Action, claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 24, 26, 28 and 35 have been rejected under 35 U.S.C. §102(e) as being anticipated by Nakanishi et al. (U.S. Patent 5,959,423). The Nakanishi et al. reference relates to a mobile work robot system which includes a mobile robot which is equipped to perform prescribed tasks, such as cleaning building floors. The Examiner relies upon the description at col. 7, lines 8-15 of Nakanishi et al. as disclosing that the robot apparatus performs a predetermined movement in accordance with an amount of charging in the charging battery on charging the charging battery using the charging device as claimed by applicants in claims 1, 12, 23 and 26 of this application. Applicants continue to respectfully submit that they are unable to find such support for this feature of applicants' claimed application in the relied-upon section of Nakanishi et al. The Examiner's relied upon section of Nakanishi et al. reads as follows:

“When the robot 1 has returned to the control section 2 after the above routines are carried out, maintenance of the robot 1 by the control section 2 is performed. While replacement of the dust container and replenishment of the solution comprising a disinfectant, etc. are used as examples of parameters governing the maintenance in the example shown

with regard to Figs. 8 and 9 above, the maintenance can involve the replacement of the cleaning members 121 and/or the battery 27.”

All that section in Nakanishi et al. describes is that maintenance of the robot can be performed by the control section. There is no disclosure of predetermined movement of the robot based upon the amount of charging as claimed by applicants nor any suggestion thereof. If the Examiner's current rejection is maintained in a subsequent action, applicants specifically request further clarification from the Examiner of how this section of Nakanishi et al. has anything to do with this feature of the applicants' claimed invention.

Nevertheless, in order to further distinguish applicants' claimed invention from Nakanishi et al., independent claims 1, 12, 23, 26 and 35 have been amended herein to recite, in one form or another, that the robot apparatus includes charging indicating means for performing a predetermined movement of a body part of the robot apparatus to indicate an amount of charging in the charging battery on charging the charging battery in the charging device. For those reasons set forth above, the mobile robot system of Nakanishi et al. completely fails to teach or suggest this feature of applicants' claimed invention. Accordingly, it is believed that the Examiner's rejection of claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 24, 26, 28 and 35 based upon 35 U.S.C. §102(b) has been overcome by the present amendment and remarks and withdrawal thereof is respectfully requested.

In Section 3 of the Official Action, claims 9, 20, 32, 37, 40 and 41 have been rejected under 35 U.S.C. §102(e) as being anticipated by Takenaka et al. (U.S. Patent 6,064,167). The Takenaka et al. reference relates to a legged moving robot which has a plurality of movable legs having actuators associated with the joints of these legs. In his rejection, the Examiner has specifically relied upon the disclosure of Takenaka et al. found at col. 2, lines 23-67 thereof. As set forth therein, when the remaining capacity of the battery is recognized by a remaining

capacity recognizing means is lower than the predetermined level, fall judging means determines that the robot is likely to fall down so as to thereby enable an actuator control mechanism to control the joint actuators to lower the center of gravity of the robot. In turn, the potential energy of the robot is reduced and the total amount of energy needed to operate the actuators is reduced, lowering battery usage. This lowering of the center of gravity of the robot when the battery capacity becomes low is shown in Figures 6 and 7 of Takenaka et al.

Claim 1, upon which claim 9 ultimately depends, claim 12 upon which claim 20 ultimately depends, claim 26, upon which claim 32 ultimately depends, and claims 37, 40 and 41 have been rewritten herein to recite, in one form or another, that the robot apparatus includes charging indicating means for performing a predetermined movement of a body part of the robot apparatus to indicate an amount of charging in the charging battery on charging the charging battery in the charging device. This is vastly different from the robot of Takenaka et al. wherein during use of the robot (out of a battery charging), the center of gravity of the robot is lowered when the battery capacity of the robot is determined to be low.

As such, Takenaka et al. does not exhibit the benefits of applicants' invention. Upon charging in the charging device, applicants' robot apparatus is capable of being caused to have an impression of a living thing. For instance, if the robot apparatus is a dog or cat, a wagging tail or head shaking simulates the animal waking up from its sleep, much like a living animal. This provides for high entertainment characteristics to the user. Such an impression is not generated by the robot actions of Takenaka et al. set forth in col. 2, lines 23-67 thereof.

Based upon the foregoing, it is believed that the Examiner's rejection of claims 9, 20, 32, 37, 40 and 41 based upon 35 U.S.C. §102(e) has been overcome by the present amendment and remarks and withdrawal thereof is earnestly solicited.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorneys and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner indicate those portions of the respective references providing the basis for a contrary view.

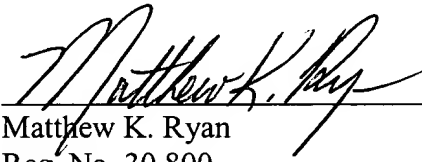
No additional fee is deemed to be required for the filing of this amendment, but if such is, please charge it for this application to Deposit Account No. 50-0320.

A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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